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VERBATIM RECORD OF THE 1699TH MEETING

Held at Headquarters, New York,
on Thursday, 13 May 1993, at 10.30 a.m.

President: Mr. RICHARDSON (United Kingdom)

- Examination of petitions
- Offers by Member States of study and training facilities for inhabitants of Trust Territories: report of the Secretary-General
- Dissemination of information on the United Nations and the International Trusteeship System in Trust Territories: report of the Secretary-General
- Cooperation with the Committee on the Elimination of Racial Discrimination (General Assembly resolutions 2106 B (XX) and 47/79)

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- Second Decade to Combat Racism and Racial Discrimination (General Assembly resolutions 3057 (XXVIII) and 47/77)

- Attainment of self-government or independence by the Trust Territories (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolutions 1514 (XV) and 47/23)

- Cooperation with the Special Committee on the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1654 (XVI))

- Examination of the annual report of the Administering Authority for the year ended 30 September 1992: Trust Territory of the Pacific Islands (continued)

- Organization of work

The meeting was called to order at 10.40 a.m.

AGENDA ITEM 5

EXAMINATION OF PETITIONS (T/INF/41)

The PRESIDENT: Members of the Council will recall that, in 1988, we decided to request the Secretariat to publish a list of communications and petitions received with a summary of the contents contained therein. The list is contained in document T/INF/41. As agreed at our last meeting, we shall now begin consideration of these communications and petitions.

If there are no comments, I propose that the Council take note of communications 1 and 2 in document T/INF/41.

It was so decided.

The PRESIDENT: As agreed at our last meeting, we shall now hear petitioners whose requests for hearing are contained in documents T/PET.10/760 and T/PET.10/761.

Mrs. Erminia Ngiraked and Ms. Leilani Bronson will speak on behalf of Otil a Beluad.

At the invitation of the President, Mrs. Erminia Ngiraked and Ms. Leilani Bronson took places at the petitioners' table.

The PRESIDENT: I now call on Mrs. Ngiraked.

Mrs. NGIRAKED: We would like to thank you, Sir, and the other members of the Trusteeship Council for the opportunity to present this petition today. My name is Erminia Ngiraked. I represent Otil a Beluad, a group of Palauan citizens concerned about the future of Palau. Accompanying me are my daughter, Leilani Bronson, and Anne Simon from the Center for Constitutional Rights. May I request that my daughter read out the petition.

The PRESIDENT: I call on Ms. Bronson.

Ms. BRONSON: We offer our greetings to the new Administration in Washington, D.C. and its representatives at the United Nations. We also offer our thanks to the many people within the agencies of the Administering Authority, particularly the Department of the Interior, who continue to exhibit patience and helpfulness to Palauans as we work through the difficult process of resolving our status in a fair and democratic way.

With a new administration in Palau as well as in Washington, D.C., it may now be possible to resolve the issue of Palau's post-trusteeship status. We hope that the Administering Authority has finally adjusted to the fact that the cold war has ended and with it the rationale for seeking to take scarce Pacific island land for United States military purposes. We support the efforts of the people of our neighbour island, Guam, to demand the return of the land taken for the United States naval air station there. We in Palau continue to feel the effects of the loss of land we suffered under the Japanese mandate in Palau. To this day, land has not been returned to its original owners. The disruption of our land base is reflected in the 17,000 unsettled land claims now pending in our small nation. We do not want any more generations of Palauans to be deprived of their birthright through military occupation or appropriation of their land.

We hope that the recent letter from the Secretary of State of the Administering Authority to the President of Palau regarding modifications to the currently proposed Compact of Free Association means that progress on the Compact will finally be made. We note that the assurances made in the letter are only a starting-point for hard work on actual modifications to the Compact. They are not a substitute. The 50-year duration of the proposed Compact; its provisions for the introduction of nuclear weapons into Palau by the United States military and its allies; its reservation of United States

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rights to military use of all the land in Palau; and the perpetual duration of some of its terms - all are potentially dangerous to us and not necessary to the legitimate interests of the Administering Authority. There is a strong consensus in Palau that these terms can and must be changed. The Administering Authority would open a new chapter in relations with Palau if it agreed to do so.

Now, however, some old problems are lingering. In November 1992, a referendum was held on a proposed constitutional amendment that purported to reduce from three-fourths to a simple majority the proportion of votes required to ratify the proposed Compact. A group of Palauan citizens filed suit in our courts, seeking to block the vote because the Palauan and English versions of the text of the amendment on the ballot were different in important ways. That case still has not been heard, although the referendum was held and the Palau Government asserts that the amendment has been ratified. Until there is a final outcome to the court challenge, however, this is simply not true.

The plaintiffs in this case are trying to safeguard the integrity of Palau's Constitution and the dignity of the indigenous population of Palau. We do not believe that we will be better off if it is easier to ratify the proposed Compact, but our elders who do not read English were misled into voting to change our Constitution, which was overwhelmingly adopted in 1979.

We are concerned that the ballot language problem may be the beginning of relegating our Palauan language to second-class status or worse. The Palau Constitution makes Palauan traditional languages the national languages, and Palauan and English equally the official languages. This decision to maintain

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Palauan as a language not only to be spoken in the home but also to be used in the public business of governing is an important part of our Constitution. We do not want to see short-term concern for Compact ratification undermine Palauans' efforts to harmonize modern social and governmental institutions with a long-established and rich cultural, social and political tradition expressed and carried on through the Palauan language.

(Ms. Bronson)

We take a warning from the experience of the people of Puerto Rico, who are now struggling to preserve the important role of their Spanish language in a political system that is focused on English. We do not want to repeat the experience of so many indigenous peoples, who have been almost wholly deprived of their language and then must fight to preserve its remnants. We have our language now. We want to keep it and the cultural traditions and dignity that it embodies and carries forward intact, vibrant and alive for ourselves and for future generations of Palauans. Through this International Year of the World's Indigenous People, the United Nations has recognized the importance of struggles such as ours to protect the dignity of our indigenous population and our language, which is our Palauan identity, a gift of creation.

We are also concerned that ratification of the proposed Compact has become an end in itself, without adequate consideration of whether it provides what Palauans need. We have voted on the Compact and rejected it seven times, and still there have been no formal changes to the Compact proposal. We, like most Palauans, believe that the status issue will be resolved soon, like it or not. Some people will accept the current Compact proposal; some want independence; some want a relationship of free association with the United States, although on different terms. But we think that all Palauans, no matter what their present opinions may be, deserve the opportunity to work through the democratic process for a status agreement that they truly understand and that truly reflects the needs and aspirations of Palauans - not merely the opportunity to agree to a deal that could impose a status of servitude on our islands for generations to come. If democracy in Palau is to survive and grow after the period of Trusteeship, it must get off to a good start and be able to take root in the hearts and minds of Palauans. That can

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happen only if we all believe that the integrity and dignity of our culture and our system of Government have been preserved.

We know that we also must preserve the health and stability of our island environment. We hope that the fresh breeze of ecological consciousness and commitment expressed in Vice-President Gore's book will find practical expression in the Administering Authority's willingness to work with Palauans to find sound solutions to our current problems and to create a political and economic framework for our future development that will enable us to move towards a sustainable and healthy economy and environment.

We see on television that there are nuclear accidents in Siberia; we read in the newspapers that the Republic of the Marshall Islands, our Micronesian neighbour, has been asked to accept toxic waste to be landfilled on the small islands of that nation. We are alarmed by events like these, which remind us anew of the wisdom of Palau's constitutional provisions, which prevent the introduction into Palau of nuclear weapons, nuclear waste and other hazardous materials without the approval of three-fourths of the voters in a referendum. We are also reminded that we all must be vigilant to protect the land and water on which we depend. In this connection, we note our appreciation for the efforts of the Nature Conservancy, a private organization based in the United States, which has recently begun work in Palau, helping to educate our people about the diversity of our environment.

Actually implementing environmentally sound and sustainable decisions can be difficult, and Palau is just beginning to learn how to do it. For example, we have needed roads on our big island of Babeldaob since the end of the Second World War. Road-building is needed so that produce can be transported from small farms on Babeldaob at a reasonable cost and without excessive

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effort. Roads are important so that it will be possible for people to have access to the benefits of modernization without having to move to Koror. Roads are vital so that people can get to the hospital in Koror, since we no longer have a programme of public-health outreach centres on Babeldaob. In its current effort to build roads, our Government has come to an agreement with the Administering Authority about the ground rules for starting part of this project, while continuing to plan for other portions. We are gratified that the important environmental concerns are being addressed, but we are concerned that a formal study is not being conducted. Not only is this a bad example for the future conduct of the Palau Government, but it ignores our own experience: we women remember the destructive impact of road-building in Koror on the taro patches, an important indigenous source of food, near the roadways.

We note also that the longstanding problem of inadequate treatment and disposal of sewage in Koror still has not been effectively addressed. This is a serious public-health problem, reminding us that environmental degradation and haphazard development harm all parts of the ecosystem, including people. We hope that the Administering Authority will apply the same creativity shown in the Interior Department's recent agreement to preserve the habitat of the California gnatcatcher to helping us make the right kind of progress in Palau. We know that we need both environmental protection and development, and we need both at once - not one sometimes and the other at other times.

We ask the Trusteeship Council the following:

First, to await the conclusion of all constitutional and legal processes in Palau, in particular the final decision of all litigation challenging the November 1992 referendum, before accepting or acting on any claim by the Administering Authority that our Constitution has been amended;

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Secondly, to await the conclusion of all constitutional and legal processes in Palau before accepting or acting on any claim by the Administering Authority that the proposed Compact of Free Association has been ratified in any new referendum;

Thirdly, to encourage and support negotiations between the Administering Authority and the Palau Government to revise the terms of the proposed Compact of Free Association, with particular attention to the military provisions set forth in the current Title III and related subsidiary agreements;

Fourthly, to urge the Administering Authority to provide funds to match all expenditures by the Palau Government for public education and study of the issues related to Palau's future status; and

Fifthly, to urge the Administering Authority to examine its educational and technical assistance programmes in Palau for bias in favour of the English language and against the Palauan language, and to work actively to prevent actions in any of its programmes that would denigrate or diminish the role of the Palauan language in Palau.

The PRESIDENT: Perhaps I could say on a personal basis that I well remember the meeting with the petitioners' group which the Mission had in Palau last year, and I am delighted to have had the opportunity to hear their views again.

Since no member of the Council wishes to put questions to the petitioners, they may now withdraw.

The petitioners withdrew.

The PRESIDENT:

At the invitation of the President, Ms. Lynn Wilson took a place at the petitioner's table.

The PRESIDENT: I now call on Ms. Wilson.

Ms. WILSON: I wish to thank the Trusteeship Council for this opportunity to appear before it. My name is Lynn Wilson, and I address you today as a social scientist who has followed developments in the Trust Territory of the Pacific Islands, as a citizen of the United States concerned about the actions of my Government, and as a supporter of a strong United Nations movement. My research and writing on contemporary Palauan politics has spanned over seven years, during which I conducted nearly two years of fieldwork while living in Palau between 1987 and 1989. This extensive research has provided me with an opportunity to closely study the formulation and implementation of United States policy in Micronesia and Belau over the past five decades, and it is United States administrative policy that I will address today.

(Ms. Wilson)

Proposals for a Compact of Free Association have been key in shaping complex local political activities within Belau and international relations between Belau and the United States. Here, rather than offering explication and critique of details related to current proposals, policies and referendums, I shall take a long and broad view in order to place current developments in a historical context, because I believe a clearer understanding of the context can contribute to making this moment a significant turning-point in realizing Belau's potential for self-government and in Belau's relationship with the United States.

Since the formation of the United Nations Trusteeship System and since the inception of the Trust Territory of the Pacific Islands, the United States Government has been consistent in designing strategies and clear in its desires to maintain permanent access to Palauan territory. This should not be a startling interpretation; it is something that United States officials have admitted openly and consciously planned for decades. History is replete with examples, yet, in the limited amount of time allotted today, I shall cite only a few to make my point.

My first example refers to 1945, during the Yalta Conference, even before the end of the Second World War and before the formal advent of the United Nations. At that time, Secretary of War Henry Stimpson revealed United States perceptions that military access to Micronesia had become a strategic necessity in an era of cold-war fears and confrontations. He stated,

> "Acquisition of [Micronesia] by the United States does not represent an attempt at colonization or exploitation. Instead, it is merely the acquisition by the United States of the necessary bases for the defense of the Pacific for the future world. To serve such a purpose, they must

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belong to the United States with absolute power to rule and fortify them....''

Although Stimpson attempted to deny it, United States intentions to control Micronesian territory using the justification of defending democracy "for the future world" looked strikingly similar to the outright colonial expansion that was justified by the doctrine of manifest destiny - in other words, the Government of a large world Power taking land that belonged to other people for the ends of that Government rather than respecting the rights of people living on that land. Stimpson's position, prevalent among United States officials and military planners, directly conflicted with the basic objective of the Trusteeship System, which was to

"... promote the development of the inhabitants of the Trust Territory towards self-government or independence as may be appropriate to the particular circumstances of the Trust Territory and its peoples and the freely expressed wishes of the people concerned". (Trusteeship Agreement for the Trust Territory of the Pacific Islands, article 6)

In another instance, United States officials unquestionably sought permanent access to Micronesia when drafting the original Trusteeship Agreement for the Trust Territory of the Pacific Islands. United States proposals for the Agreement initially provided that Micronesia would be administered as an "integral part" of the United States; the clause concerning eventual self-government or independence that had become part of the Trusteeship Agreements for all other Trust Territories had been omitted in United States proposals. The United States conceded its position and agreed that administration of Micronesia could take place through the United Nations Trusteeship System, yet the United States persisted and bargained for the

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unique status of "strategic" Trust so that the United States could ensure permanent control of the islands for various military purposes.

As the 1960s ushered in a wave of global expectations for independence, the United Nations pressed for decolonization, and many Trusteeships ended. United States officials at the same time confidentially drafted a Compact of Free Association that identified Micronesian land areas they considered to be critical for their military plans. In Belau's case, land requirements identified in this proposed Compact of 1962 were almost identical to land requirements in current Compact proposals.

Concerned over growing criticism of United States administrative policy in Micronesia, President Kennedy commissioned a study that outlined diverse strategies both to appease critics and, contradictorily, to achieve

> "... the United States long-term objectives of developing the Trust Territory as a viable Territory permanently associated with the United States."

The final report, known as the Solomon Report, remains largely classified and unavailable to the public and to researchers. But in the part that is available through the Freedom of Information Act, it clearly states United States intentions:

> "Micronesia is not now a United States Territory; we wish it to become so. To accomplish that we must convince the United Nations and the Micronesians that a measure of self-government will be given."

During the Nixon Administration, a strong criticism that United States administration of the Trust Territory was built on a foundation of self-interest and actually impeded self-sufficiency emerged from the United Nations, the United States Congress and organizations such as the Carnegie Endowment for International Peace. At the same time, debates flared in

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Washington over methods the United States would employ to claim Micronesian land. Then Secretary of State Henry Kissinger argued for using eminent domain so that the United States would own the land outright. In a statement now famous throughout Micronesia, Kissinger reflected the sentiments of other United States officials who failed to work for the welfare of people in the Trust Territory when he said, "There are only 90,000 people out there. Who gives a damn?"

My last example in this brief historical overview centres on the past United States Administration under President Bush. Undersecretary of the Interior Stella Guerra, in a statement that reinforced long-standing objectives of the United States, referred to the case of Belau as she attempted to rewrite the definition of self-determination:

> "Self-determination means the choice of a generally recognized political status, with specifics to be worked out and mutually agreed to by the parties. Self-determination does not mean, and has never meant, the right of one party to unilaterally determine the specific terms of its relationship with another party."

Although there have been individuals within United States Administrations and Congresses that have worked diligently to develop policies intended to provide for self-government and protect the rights of people in Belau, the examples I cite above demonstrate that the overall United States policy focus, regardless of whether Administrations have been dominated by Democrats or Republicans, has been to maintain permanent access to Palauan territory.

Land is largely the reason why negotiations for free association between Belau and the United States have consistently broken down in the past two decades; and land is largely the reason why Palauans have voted repeatedly to reject the Compact. Compact proposals have attempted to provide the United

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States military with the right to claim large areas of Palauan land and to claim it within sixty days. The United States Government does not have this right within any of the 50 states or in United States Territories, yet it asks this of the people in Belau. If a dispute erupted over United States military claims to Palauan land, the final arbiter in appeal would be the United States Secretary of Defense. Would United States officials tolerate any other country doing to the United States what the United States is proposing to do in Belau? I have no doubt they would not.

A decade ago, Bernie Keldermans travelled from Belau to appear before the Trusteeship Council and posed questions concerning democracy that remain extremely relevant today. In her petition she said,

> "The United States is so concerned about its military options that it has steadfastly refused to accept the people's wishes. We have said "No" four times to the United States nuclear intentions in four referenda in four years. When will we be heard? We have voted democratically and the United States must accept our vote. Does democracy only apply in the United States and not in Palau?" (T/PV.1549, p.38-40)

As the Council knows, the count for Compact-related votes is now up to 12 votes in 14 years, including two votes to amend Belau's Constitution and four votes on the exactly same version of the proposed Compact of Free Association. Another vote on the Compact has been scheduled for July this year. The United States is moving to a position that is dangerously parallel to an earlier who-gives-a-damn approach in administering Belau by pursuing approval of the proposed Compact through multiple referendums, by never

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providing the people of Belau the opportunity of voting on future status options other than free association in a binding referendum, by refusing to negotiate a free association that would protect the rights of people in Belau to maintain control of the land, reefs and waters of Belau and by continuing to create intense economic and political pressure in attempts to ensure Compact approval.

(Ms. Wilson)

In a 1989 interview, Gabriela Ngirmang, a Palauan woman elder and leader of a women's organization, Otil A Belaud, articulated the results of such policies, and in the following passage from that interview - translated by her daughter, Cita Morei - she spoke about what these pressures have meant to people in Belau:

"She wishes that it would be on paper that it's this US policy here in Palau that has divided families, that it has caused them to be separated and that the US just wants to use Palau as their own fence - to protect the interests of the United States without thinking of us. It has divided families, and she wishes that it could be on paper spelled out in black and white and written so they will know later that it's these policies from the outside that have divided us. And she's saying that if only those people in the Government in the States who are pushing for the Compact would know what they have done to families in Palau - she's saying - it would be good for them to know."

Today, a study of the global political scene makes it extremely clear that the cold war has ended and that administrative policies and military strategies developed within the cold-war era are obsolete. It is time for the United States Government to commit the required time, attention and sensitivity to rethinking and redirecting policies in relation to Belau. As the United States claims a position of leadership in fostering democracy throughout the world, it is time to focus those same democratic ideals within the administrative boundaries of the United States rather than pursuing policies that place democracy at risk.

I commend United States officials who recently, in another region of the Pacific, began to consider a bold reversal of previous policy - towards East Timor and Indonesia - and I urge the United States Ambassador to the

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United Nations and Interior Department officials here today to provide leadership in convincing others in President Clinton's administration to follow a similar path in redirecting policy related to Belau, the last remaining United Nations trusteeship in the world.

I urge the United States to initiate a moratorium on pressing for further Compact-related referendums until a thorough shift of United States policy priorities has been completed and new negotiations on Belau's future status have taken place.

Finally, in the past decade the United Nations largely has taken a "hands-off" approach and refrained from entering debates over the relationship between the United States and Belau, particularly in relation to developments surrounding proposals for the Compact of Free Association. Yet it is precisely in these debates that United Nations concerns for decolonization and self-government most forcefully apply. I urge the Trusteeship Council as well as members of the broader United Nations community to reconsider the United Nations role in supervising the United States stewardship of Belau and to take the initiative in advocating Belau's self-government rather than supporting the self-interest of the United States, which has been done at the great expense of the people in Belau.

I thank the President and the members of the Trusteeship Council for allowing me the privilege of speaking before them today and for giving serious consideration to my requests.

The PRESIDENT: Since no members of the Council wish to put questions to the petitioner. she may withdraw from the petitioners' table.

The petitioner withdrew.

OFFERS BY MEMBER STATES OF STUDY AND TRAINING FACILITIES FOR INHABITANTS OF TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (T/1971)

The PRESIDENT: Since there are no members who wish to comment on the report of the Secretary-General (T/1971), I would suggest that the Council decide to take note of that report and conclude consideration of agenda item 6.

It was so decided.

DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (T/1972)

The PRESIDENT: To introduce the report of the Secretary-General (T/1972), I call on Mr. Mustapha Tlili, representative of the Department of Public Information in the Secretariat. Mr. Tlili will make a statement on the activities of the United Nations relating to dissemination of information on the United Nations in the Trust Territory of the Pacific Islands

Mr. TLILI (Department of Public Information): It is again an honour for me to introduce a report of the Secretary-General on dissemination of information on the United Nations and the International Trusteeship System in the Trust Territory of the Pacific Islands - principally, Palau.

The efforts of the Secretariat, and particularly the Department of Public Information, in this respect have a two-fold nature. The first relates to the dissemination of information to the general public about the International Trusteehip System and about Palau; and the second, to the dissemination of information directly to the Palauans. It is our hope that the Secretary-General's report reflects this in a way that responds to some of the questions that were posed at last year's session of the Trusteeship Council.

(Mr. Tlili)

With regard to the dissemination of information to the general public, I must say that our efforts have been rather substantive. We have disseminated as much information as we could on the work of the Trusteeship Council, through press releases and other information material, radio programmes, articles in United Nations publications - the UN Chronicle and the Yearbook of the United Nations - and so forth.

With regard to the dissemination of information to Palauans, we of course have our main outlet, which is the United Nations Information Centre at Tokyo. The annex to the Secretary-General's report contains a list of the United Nations information materials distributed by the Information Centre at Tokyo to various organizations and individuals in Palau.

A very legitimate question is always posed: do we know whether these materials reach the intended recipients? Our answer is: we do not know. And we do not know because the Director and other personnel of the Tokyo Information Centre have no funds to go to the Territory and verify whether the information has been received and has been used, and what kind of feedback there has been.

The same applies to the information we send directly from United Nations Headquarters. Annually, through cooperation between the Secretariat and the administering Power, we send materials to a list of 92 recipients, including educational institutions, government organizations, individuals and radio stations.

(Mr. Tlili)

We sent that material, and we also sent a questionnaire to find out how the material had been received and what impact it had had. But we have had no feedback. We hope that with greater effort this year we will get some feedback on the questionnaire.

Essentially, that is what is in the report. I am at the disposal of members to answer any questions they may have.

The PRESIDENT: I thank Mr. Tlili for that introduction, and invite members to put questions to him.

Mr. EVANS (United Kingdom): Let me first of all congratulate you, Sir, on your election to the presidency of the Trusteeship Council; I also congratulate your predecessor on his distinguished year in office.

I would ask Mr. Tlili to direct his attention to paragraph 7 of document T/1972, which speaks of the lack of funds for the Director of the Information Centre at Tokyo or any other representative of the Centre to visit the Trust Territory during the period under review.

There have, of course, been visits to the Trust Territory by United Nations staff during the period under review. A Visiting Mission took place last year, and it is possible that another mission will be going to the Territory in the next month or so. I would ask Mr. Tlili whether any consideration has been given to asking members of the Trusteeship Council secretariat to undertake some study on behalf of the Department of Public Information as to usefulness - and the reciept - of some of the publications that Tokyo has been sending.

Mr. TLILI (Department of Public Information): I thank the representative of the United Kingdom for his very important suggestion. In the past we have not been able to engage in that kind of cooperation between Council Missions and the personnel of the Department of Public Information, again because of the lack of funds. We would have very much liked for either the Director of the Centre or another member of the staff of the Department of Public Information to accompany the Visiting Missions.

But we shall now have to see the extent to which we can ask colleagues who are not, of course, experts in information somehow to do the work for us, verifying, first of all, whether the questionnaires we have been sending - and to which we have received only very few responses - and other materials were received. We must learn to what extent we can develop cooperation between the Centre in Tokyo and United Nations Headquarters, through whatever feedback the Mission can bring back from the Territory.

Mr. DZAKHAEV (Russian Federation) (interpretation from Russian): As this is my delegation's first statement this session, I should like to echo the congratulations conveyed to you, Sir, by the representative of the United Kingdom on your election to your responsible post. We wish also to express the hope that your presidency will be historic - and not only because it may be the last one. We congratulate your predecessor in the presidency, the representative of France, on his election as Vice-President and on his excellent work as the President of the Trusteeship Council at its fifty-ninth session.

I greet Mr. Tlili, who has addressed the Council in the past.

(Mr. Dzakhaev, Russian Federation)

With reference to the Secretary-General's report on the dissemination of information (T/1972), Mr. Tlili told us that the Department of Public Information intends to intensify its activities in the dissemination of information on the United Nations to recipients in Palau.

First, could Mr. Tlili be more specific with respect to the intensification of his Department's activities in that area?

Secondly, Mr. Tlili spoke of the lack of feedback. Has the Department of Public Information made an effort to contact members of the Palauan delegation who participate in the meetings of the Trusteeship Council with a view to learning the results, if any, of its activities with respect to disseminating information in Palau?

Mr. TLILI (Department of Public Information): I thank the representative of the Russian Federation for his very pertinent questions.

First, regarding the intensification of information activities, let me say that since last year we have tried to see the extent to which, in cooperation with the Administering Authority, we might somehow check whether our list of recipients remains valid - whether the recipients to whom we send the information material are actually still there.

I believe that the change of United States Administration has not always helped us intensify the cooperation as much as we would have wished; some of the officers who, through the Permanent Mission of the United States to the United Nations, have been dealing with the Territory are still at the Mission, and some are not. We now know that we have new personnel with whom we can work in a more active way, and we now have the full cooperation of that personnel. That is one of the lines of action we will be pursuing.

(Mr. Tlili)

Secondly, as the representative of the United Kingdom has just suggested, we shall seize the opportunity of the next Mission to Palau to intensify that cooperation and see the extent to which the lists we have here on the basis of which we have been sending out information material are accurate, and how much feedback we can expect.

I have with me a copy of the questionnaire we sent to the Territory, as well as a list of the 92 recipients of that questionnaire. We will see, through the two lines of action I have just mentioned, the extent to which we can somehow be more precise in addressing the question of feedback.

The PRESIDENT: There appear to be no further questions. Perhaps I can offer a word as well.

This is a problem that I recall the Trusteeship Council has had to grapple with on a number of occasions; I refer particularly to the problem of feedback, and the question of whether the material that is sent to Palau corresponds to the sort of material that Palauans actually wish to receive and are interested in.

If I may say so, I think that the proposal put forward by the representative of the United Kingdom is an interesting one for two reasons. First, I think that, particularly at a time of resource constraints, it is important where possible to regard United Nations officials as belonging to a single family, if I can put it that way. I personally see no reason in principle why Secretariat staff accompanying a future Mission should not, under due guidance from the Department of Public Information, be able perhaps to assist in this field and to report back to the Department.

(The President)

Secondly, I am very conscious that the question of United Nations information applies irrespectively of Palau's current or future status and that the United Nations will continue to be active in disseminating information even when and if a new status emerges.

For both these reasons, I should like to suggest that it might be helpful for colleagues in various branches of the Secretariat to get together informally to see if the suggestions that have been made are along the right lines. We might then revert very briefly to this matter at our next meeting tomorrow. I do not think it requires a formal decision in any sense, but it would be useful to know whether the sort of suggestions that have been made find favour and are doable.

If that is acceptable, I propose that we continue our consideration of this item at our next meeting tomorrow morning.

COOPERATION WITH THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION (GENERAL ASSEMBLY RESOLUTIONS 2106 B (XX) AND 47/79)

SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (GENERAL ASSEMBLY RESOLUTIONS 3057 (XXVIII) AND 47/77)

The PRESIDENT: In connection with these items, I suggest that the Council examine them together, as it did in previous years.

If I hear no comments, it will be so decided.

It was so decided.

The PRESIDENT: In this regard, I understand that the Secretariat has provided each delegation with the relevant documentation and, in particular, copies of resolution 47/79 and 47/77, adopted by the General Assembly at its forty-seventh session in 1992.

(The President)

If there are no comments, and if there is no objection, I suggest that the Council decide to conclude consideration of these items.

It was so decided.

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES (TRUSTEESHIP COUNCIL RESOLUTION 1369 (XVII) AND GENERAL ASSEMBLY RESOLUTION 1413 (XIV) AND THE SITUATION IN TRUST TERRITORIES WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTIONS 1514 (XV) AND 47/23)

COOPERATION WITH THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTION 1654 (XVI))

The PRESIDENT: In connection with these items, may I suggest that, in keeping with previous practice, the Council examine them together, as it did in previous years.

If I hear no comments, it will be so decided.

It was so decided.

The PRESIDENT: In this regard, the Secretariat has provided each delegation with a copy of resolution 47/23, adopted by the General Assembly at its forty-seventh session in 1992.

If there are no comments, the Council will take a decision on these items following the adoption of its conclusions and recommendations.

It was so decided.

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1992: TRUST TERRITORY OF THE PACIFIC ISLANDS (continued)

The PRESIDENT: We shall now proceed with the questioning of the representatives of the Administering Authority.

Does any member wish to put questions to the representatives of the Administering Authority?

Mr. DZAKHAEV (Russian Federation) (interpretation from Russian): The Russian Federation wishes to welcome the delegations of the Administering Authority and of Palau.

In view of the statement made yesterday by the representative of the Administering Authority, in which he referred to a letter addressed by the Secretary of State of the United States to the President of Palau, giving guarantees with regard to the future Compact of Free Association, my delegation wishes to ask for a more detailed explanation of the substance of that letter.

Mr. MANSO (United States of America): We would be happy to offer to interested delegations a copy of the letter so that they might see for themselves the substance of the assurances that have been granted. I hope that will be satisfactory.

The PRESIDENT: That seems to be acceptable. Are there any further questions?

Mr. EVANS (United Kingdom of Great Britain and Northern Ireland): I have a few questions I would like to put to the representatives of the Administering Authority. I would like to go through all the questions at the same time and then they could answer them, if that is agreeable.

My first question is on tourism. I note from the report of the Administering Authority that it is anticipating a 40 per cent increase in tourism over the next few years. I also note from the report that the Administering Authority, together with the Palauans, is taking measures to try to mitigate some of the possible environmental consequences. In view of the fact that they are expecting such a large increase, I wonder whether steps are being taken to have some form of national plan for tourism that addresses what

(Mr. Evans, United Kingdom)

will need to be some rather substantial measures, I suspect, for environmental protection in that regard.

My second question concerns the Master Plan. The Acting Assistant Secretary of the Interior of the United States said yesterday that the contract has now been assigned by the United Nations Development Programme. Members of the Council have in the past expressed some concern at the lack of speed with which this particular item has been processed. I should be grateful for some advice on what time-scale we are now working on for the development of this plan.

My third question is on fishing, which the report of the Administering Authority makes clear is the second income earner for Palau. I have two separate questions on this. The first is the question of sustainability of fish stocks. The Administering Authority has reported that there has been a large increase in fish catches in Palau, and I wonder what thought has been given to whether the current and projected rates of fish-catch are sustainable.

The second part of this question concerns the fact that the Administering Authority has reported that it has received no reports of illegal fishing. In past meetings of this Council, there has been some concern expressed at illegal fishing by, for example, the Indonesians. I suggested in the Council last year that the Administering Authority might perhaps take up with the Government of Indonesia the question of illegal fishing in Palaun waters. I would simply like at the moment some further clarification on this. How convinced is the Administering Authority that its information on the lack of illegal fishing is indeed to be trusted, given that the means of patrolling Palauan waters is currently or will shortly be in dry dock, once the dry dock is made available?

(Mr. Evans, United Kingdom)

My last question relates to capital infrastructure. The Administering Authority's report gives some information on the operations and maintenance of the capital infrastructure, and indeed Mr. Stayman himself yesterday gave us some information on specific projects, but I would like a bit more of an overview on how this programme is run, if I may.

The PRESIDENT: It may be that, as in previous years, not only the Administering Authority but also the representatives of Palau, who are here present, might wish to comment on some of these questions, but I leave that very much to the ladies and gentlemen in front of me.

Mr. STAYMAN (United States of America): I thank the representative of the United Kingdom for his questions. Perhaps what I will do in this brief period of time is attempt to give a general response to them and offer at the end to provide further details for tomorrow.

With respect to tourism, an increase in terms of percentage is expected. However, the numbers, at this point, are of course not as large as you would see in other nations with a much larger population and a larger influx of people. We share, however, the concern regarding whatever impact those numbers would have and are, of course, interested in mitigating that to every extent possible. That does lead into your next question, which is the Master Plan, which would address the question of economic development in general and the question of the impact of tourism, the potential for tourism and the need for environmental mitigation as a result of that influx of tourists.

As was noted yesterday by the representative of the United Kingdom, I spoke yesterday to the specifics of the Master Plan. A contract has in fact been given. The United Nations Development Programme (UNDP) has agreed to share equally with the Department of the Interior in the cost of the

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preparation of the plan. Environmental impact will be a major component of the plan, and we expect that the contract signing will occur within a month and the first organizational meeting within two months. We appreciate your concern regarding the time schedule and are confident at this point that things will move along expeditiously.

Finally and generally, in response to the question regarding fishing, some 90 percent of the fish caught are from the reefs of Palau, for local consumption in Palau. The United States shares the concern of the Government of Palau that these resources are being exported and that such exports are depleting them beyond sustainable levels. The Palauans, through their exercise of local self-government, have taken steps to preserve these fisheries by enacting laws against the export of such resources. However, in past efforts, these laws have not been as effective as hoped because of loopholes and enforcement problems. The Government of Palau is now undertaking more stringent legislation; it is under consideration in their House of Delegates and would then move to their Senate. The legislation would outright prohibit the catching of sensitive reef fish during breeding seasons. The United States views this as an important issue but at the same time as an issue of local self-government for which the Palauans should have the lead responsibility. When I complete my statement, the Palauan delegation may want to add more on that particular issue.

With regard to illegal fishing, the United States Government has followed up with a diplomatic note to the Government of Indonesia. There have been several discussions, to my knowledge, but as yet no resolution.

You raised a very good point with respect to the reliability of our information. At this time, we do rely upon the Palauan Government. In the

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past, they have been quite free with their information with respect to violations, and that information has been quite good; we have relied upon it. They are not now reporting any violations. We will look into that further to see whether they feel that their sources of information are still as reliable as they were in the past. Again, they may wish to comment further on that issue when I finish.

Finally, with respect to capital infrastructure, the programme is progressing slowly in Palau, primarily because of the necessity for legislation, institutional changes and cost-sharing. The Department of the Interior and its consultants believe that changes in these areas are imperative; however, to ensure the long-term viability of Palau's infrastructure, other insular areas that have made these kinds of changes are benefiting enormously from the programme.

In the area of operations and maintenance, Palau has received six grants from the Department of the Interior. The total, matched by the Government of Palau, is in the neighbourhood of $430,000 to create a public utility corporation to perform water and sewer improvements and overhaul their power plant. These are the kinds of institutional changes that we think are slowing down in the short term their capital improvement efforts, but are essential to the long-term success of the programme.

That concludes my general comments. If we can provide more specific details tomorrow, we would be happy to do so. I invite the Palauan delegation to provide, if they wish, further comments on any of these points.

The PRESIDENT: I now call on Mr. Remengesau.

Mr. REMENGESAU (Special Representative): We wish to stress a few points that have been raised. On the issue of tourism, we are fortunate to

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continue to see increases in the number of tourists coming to Palau. As members are aware, tourism is the number-one industry that Palau wishes to pursue now and in the future. In this regard, it is important to stress, as I mentioned in my statement yesterday, the role of Palau Community College, which is a vocational school in Palau. The programmes for that college are currently being developed to focus on the tourist industry and the related job opportunities that will definitely arise as a result of the boom. Again, we can provide specific details on that, but generally, we have experienced an 18 per cent increase in the growth of tourism each year. We expect that to be achieved this year as well.

On the issue of the Master Plan, which is also something of a priority for us, we would like the process to go a little faster than it has in the past. To be precise, it is now close to a year of inactivity, and we are very pleased with the awarding of the contract to the Sagric Company of Australia. It is our hope that signing and consultation matters can take place within the latter part of this month so that we can begin to implement the process, which will no doubt take at least a year to complete. In this regard, we plan to meet with our people and United Nations Development Programme (UNDP) officials to see what time schedule would be most appropriate in terms of speeding up the process.

In the area of fishing, as we know, Palau is blessed with an abundance of natural resources - awesome resources - but we are also equally concerned that the rate of consumption may be exceeding the rate of reproduction. In that regard, we would like to pursue technical assistance with the Administering Authority in the area of reproduction and better techniques to sustain our fishing resources.

(Mr. Remengesau, Special Representative)

Since the beginning of the new Administration this year, we have worked with Congress, and Congress is currently considering more comprehensive conservation measures and a more comprehensive way of protecting the fish, especially in their breeding seasons, from commerce and consumption. This is an area that is also of utmost concern to our Government, and I am very happy to note that the National Congress is pursuing legislation in this area, which should soon be coming out for the Administration to take action on.

The enforcement of the current laws is an area that we definitely need to improve on. We wish to pursue with the Administering Authority the question of what kind of enforcement is needed and what technical and logistical necessities we may be lacking at present. For the information of this Council, President Nakamura, through Executive Order 116, did create a separate division of marine law enforcement, which we are currently staffing. This division or agency should be assigned the task of patrolling resources within the reef and also making sure that whatever existing laws governing the taking or commercial use of ocean resources are fully enforced.

While there have been no official reports on poaching, because there have really been no arrests and, consequently, no litigation, there continue to be numerous sightings of vessels. We believe poachers have come to understand the patrolling pattern in the waters of Palau, so they know more or less when the field trips are to be taken and when they should keep far out of sight. But poaching, especially of giant clams and a number of fish species which I understand to be highly profitable throughout the world, continues to be a problem. This is an area that we have begun to address, and we have received affirmative feedback and support from the Administering Authority, but, no doubt, we need to come up with a more coherent programme as far as enforcement

(Mr. Remengesau, Special Representative)

is concerned. But, again, due to our limited technology, logistical equipment and force, it is an area we certainly need to expand on with the appropriate help of the Administering Authority, which we did in our budget submission.

Mr. DZAKHAEV (Russian Federation) (interpretation from Russian): I also have a few questions. The representative of the United Kingdom has already expressed interest in the Master Plan, and we have received an explanation. But I should like to ask for a clarification of the fact that in the report submitted by the Administering Authority there are some differences in the figures regarding the preparation of this Master Plan. Specifically, on page 10 it says that the formulation of the plan will take from 18 to 24 months, while on page 13, in paragraph 1, on the United Nations Development Programme (UNDP), it says 18 months. I hope that the delegation of the Administering Authority can give us some clarification in this respect.

My second question has to do with the following: as was already referred to in the statement of a petitioner, the results of the November referendum are going to be discussed in court in Palau. This was also mentioned in the statement by the United States Undersecretary of the Interior and in the report of the Administering Authority. I should just like to clarify here how the consideration of this issue in court could affect the referendum planned for June and whether it could also affect the decision by the Trusteeship Council and the mission that will be sent to observe the referendum.

My next question is in regard to violations of fishing laws, that is, poaching. We have just heard from the representative of Palau some quite detailed information regarding what is being done in order to prevent poaching. The report also refers to, as the representative of the

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Administering Authority has also done, the intention of the United States to hand some areas over to Palau authorities to be patrolled by them. We wonder if the authorities in Palau will be able to patrol their areas with one cutter as a patrol boat. Perhaps we could look at some other facilities that might be made available, a programme of patrol-preparation and further training for patrolling in territorial waters to prevent further poaching. In this connection I wish to support the statement by the representative of the United Kingdom regarding - and this was also, by the way, referred to in last year's statement by the representative of the Administering Authority - the fact that, according to last year's report of the Trusteeship Council to the Security Council, the United States Department of State is planning to discuss the most recent violations with the Governments of those countries whose vessels are engaged in illegal fishing, in an effort to put an end to, or at least curb, the poaching in Palau and violations of territorial integrity.

This also gives us food for thought, and we could perhaps find an opportunity to discuss this issue with the countries whose vessels are violating the fishing regulations and are engaging in poaching.

My last question, at least for the moment, relates to the question of land ownership.

(Mr. Dzakhaev, Russian Federation)

We realize that this matter was discussed in great detail when the Trusteeship Council's Visiting Mission was in Palau last year. It was also dealt with in the statement made by the Assistant Secretary in the Department of the Interior. We have also taken into account the hope expressed in the Visiting Mission's report that the adjudication of the land-holding cases would be expedited by an increase in the number of staff dealing with the matter.

Since this is one of the major issues affecting Palau's economic development, we should like to have more information about what the Administering Authority is doing on the matter, in cooperation with the authorities in Palau.

Mr. STAYMAN (United States of America): The representative of the Russian Federation has asked questions in four general areas. With regard to the second - concerning the impact of pending court cases on any future referendums - I think that the delegation of Palau should respond. I shall proceed now to answer the other three general questions.

First, with respect to the master plan, the current timetable is this: The actual development of the plan would take 18 months. An additional six months would then be needed for Palau to execute the required implementing legislation. That is a total of 24 months from the commencement of the master plan. We expect the plan to be signed in about one month and the actual work to be undertaken within two months.

The third question by the representative of the Russian Federation related to fishing violations. The Administering Authority is taking a two-fold approach to dealing with this problem. The first is direct financial assistance towards improving the capability in this field. The second is

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encouragement of the local government to exercise local self-government in strengthening its local fisheries-resources-protection laws.

With respect more specifically to technical assistance, the Department of the Interior has offered Palau $100,000 to repair a former United States Coast Guard cutter which the Palauans have in their possession but which is not currently being used. The money would be spent in building a new cradle so that the boat could be hauled out and repairs could be made in Palau. That would make the entire operation much more efficient. We expect that the boat, once repaired and fully operational, would be able to conduct up to 18 patrols a year. Included under that grant programme - if I can call it that - would be the training of a Palauan crew.

In addition, the Department of the Interior has asked Palau to pass local legislation providing that any fines collected from offenders would be sequestered and earmarked purely for the fishing enforcement effort. That would, of course, provide for a more effective programme and more efficient budgeting and planning.

Finally, I turn to the fourth area of questioning by the representative of the Russian Federation, relating to land surveying. We agree that this is an area that needs considerable attention. Again, we are focusing on a two-part strategy. The first is technical and financial assistance to enable the Palauan Government to take the necessary action to improve the local capability of surveying land and thus resolving land disputes. The second part of the strategy is to encourage the local government to pass appropriate legislation. More specifically, the Department of the Interior has provided technical assitance to Palau in the amount of $185,000 to hire professional surveyors, provide training and purchase state-of-the-art survey equipment,

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including satellite-positioning systems and computer systems. The project has been successful in accelerating this land-survey work. We are very confident that this approach will produce the desired results within a short period of time.

At this point, I would refer to the representative from Palau the second area of questioning by the representative of the Russian Federation..

Mr. REMENGESAU (Special Representative): I should like first to make a brief comment on the master plan timetable. Since, as I have stated, the general schedule calls for consultation and mobilization after the signing, it is our recommendation that the signing of the contract take place in Palau and that the consultation and mobilization then take place.

As for the question on the impact of the court case, prior to the holding of the plebiscite last year, there was a request for the court to issue a temporary restraining order to halt the election. The court decided to allow the election to proceed and denied the restraining order. The new Administration is proceeding on the premise that, unless the court rules otherwise, the people have spoken through the plebiscite, that therefore the Constitution has been amended, and that, subsequently, the next plebiscite will need a simple majority.

We wish to inform the Council that the court case will be scheduled for the end of this month. We expect that an appeal, if one is made, will be heard and disposed of before the date of the proposed referendum - that is, 27 July. Thus, both the trial and the appeal are expected to take place prior to the holding of the eighth referendum.

The PRESIDENT: As there appear to be no further questions at this time, we shall continue consideration of this item at our next meeting, tomorrow morning.

ORGANIZATION OF WORK

The PRESIDENT: I wish to inform members that at the meeting tomorrow morning the Council will continue consideration of agenda items 2, 4, 7, 10 and 11.

If we are to adhere to our timetable, we shall need to establish a drafting committee at the end of tomorrow morning's meeting. To that end - and working backwards, if I may - we shall have to conclude our current series of questions tomorrow. Thus, any members of the Council who wish to put further questions will be free to do so tomorrow morning. I note that the Administering Authority has offered to provide one or two more detailed answers to questions already raised. That can be done at the beginning of tomorrow morning's meeting. We shall also have to complete the general debate before we can authorize the establishment of a drafting committee to consider the usual recommendations and resolution.

Hence, I very much hope that all members will come prepared tomorrow morning to participate in the general debate. Otherwise, we shall not be able to adhere to our timetable.

The meeting rose at 12.10 p.m.